

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Donald Alfred Atkinson

Application No.: 10/583,215

Confirmation No.: 7708

Filed: June 16, 2006

Art Unit: N/A

For: HYBRID CONSTRUCTION ELECTRIC  
MACHINE

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Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

MS Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Defective Response mailed September 7, 2007,  
Applicant respectfully submits the following remarks.

The Notification of Defective Response states that the requirements set forth in the Notification of Missing Requirements mailed April 2, 2007 have not been completed because "the name on the declaration and the name on the international application are different. Please clarify." Applicant notes that the name appearing on the international application and included on the Application Data Sheet filed together with the Response to the Notification of Missing Requirements are the same and are the name of the true inventor, Donald Alfred Atkinson. The name appearing on the executed declaration is appropriately listed that of the legal representative of the deceased inventor. That is, the name of Daphne Atkinson, the wife of the deceased

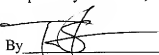
inventor (which relationship is also appropriately listed on the executed declaration) is listed on the declaration and she has executed the declaration on behalf of the deceased inventor.

In view of the above remarks, Applicant believes that the reason for the difference in name between the legal representative executing the declaration on the behalf of the deceased inventor list on the declaration and the name of the true inventor listed on the international application and appropriately in the submitted Application Data Sheet are clear. Also, the requirements under 35 U.S.C. §371 are believed to have been met by the submission filed on June 16, 2006.

If a petition is deemed necessary to accept the above described documents in order to complete the requirements under 35 U.S.C. §371, Applicant respectfully requests that this document be treated as such. Additionally, Applicant believes no fee is due with this response/petition. However, if a fee is due, please charge our Deposit Account No. 50-0591, under Order No. 04465/026001 from which the undersigned is authorized to draw.

Dated: October 2, 2007

Respectfully submitted,

By   
Thomas K. Scherer  
Registration No.: 45,079  
OSHA · LIANG LLP  
1221 McKinney St., Suite 2800  
Houston, Texas 77010  
(713) 228-8600  
(713) 228-8778 (Fax)

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